

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LUIS RAFAEL FIGUEROA, JR.,	:
	:
Plaintiff,	:
	:
-against-	:
	:
MERRICK B. GARLAND, <i>et al.</i>	:
	:
Defendants.	:
----- X	
MARCIA M. HENRY, United States Magistrate Judge:	

ORDER

21-CV-7849 (AMD)(MMH)

Plaintiff's motion for a 90-day extension of time to complete discovery is granted, with Defendants' consent. The parties' discovery plan is So Ordered as amended. The deadline to complete fact discovery is **August 29, 2024**, with a joint status report certifying the close of fact discovery due **September 3, 2024**. All discovery shall be completed by **December 3, 2024**, with a joint status report certifying the close of all discovery due by **December 9, 2024**. See attached for all deadlines.

SO ORDERED.

Brooklyn, New York
May 31, 2024

/s/Marcia M. Henry
MARCIA M. HENRY
United States Magistrate Judge

Case Name: Figueroa v. Garland et al Case Number: 21 CV - 7849 (AMD) (MMH)**PROPOSED DISCOVERY PLAN/SCHEDULING ORDER**

	DONE	NOT APPLICABLE	DATE
A. ACTIONS REQUIRED <u>BEFORE</u> THE INITIAL CONFERENCE			
1. Rule 26(f) Conference held	X		
2. Rule 26(a)(1) disclosures exchanged	X		
3. Requested:			
a. Medical records authorization	X		
b. CPL § 160.50 releases for arrest records		X	
c. Identification of John Doe/Jane Doe defendants		X	
4. Procedures for producing Electronically Stored Information (ESI) discussed			
5. Protective Order to be submitted for court approval (see Standing Protective Order on the Chambers website)	X		
B. SETTLEMENT PLAN			
1. Plaintiff to make settlement demand	X		
2. Defendant to make settlement offer	X		
3. Referral to EDNY mediation program pursuant to Local Rule 83.8? (If yes, enter date for mediation to be completed)		X	
4. Settlement Conference (proposed date)			TBD
C. PROPOSED DEADLINES			
1. Motion to join new parties		X	
2. Motion to amend pleadings			12/7/2023
3. Initial documents requests and interrogatories			12/11/2023
4. All fact discovery to be completed (including disclosure of medical records)			8/29/2024
5. Joint status report certifying close of fact discovery and indicating whether expert discovery is needed			9/3/2024

6. Expert discovery (only if needed)		Check here if not applicable	
Plaintiff expert proposed field(s) of expertise:	economic expert (to calculate damages)		
Defendant expert proposed field(s) of expertise:	potentially rebuttal economic expert		
	DONE	NOT APPLICABLE	DATE
a. Affirmative expert reports due			9/29/2024
b. Rebuttal expert reports due			10/17/2024
c. Depositions of experts to be completed			11/14/2024
7. Completion of ALL DISCOVERY (if different from C.4)			12/3/2024
8. Joint status report certifying close of ALL DISCOVERY and indicating whether dispositive motion is anticipated			12/9/2024
9. If any party seeks a dispositive motion , date to a. file request for pre-motion conference (if required), or b. file briefing schedule for the motion			1/9/2025
10. Proposed Joint Pre-Trial Order due (if no dispositive motion filed)			1/9/2025
D. CONSENT TO MAGISTRATE JUDGE JURISDICTION			
1. All parties consent to Magistrate Judge jurisdiction for dispositive motions?			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. All parties consent to Magistrate Judge jurisdiction for trial?			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
E. COLLECTIVE ACTION AND CLASS ACTION MOTIONS ONLY			
1. Motion for collective action certification in FLSA cases			
a. Response due			
b. Reply due			
2. Motion for Rule 23 class certification			
a. Response due			
b. Reply due			

This Scheduling Order may be altered or amended only upon a showing of good cause based on circumstances not foreseeable as of the date of this order.

SO ORDERED:

Marcia M. Henry
MARCIA M. HENRY
 United States Magistrate Judge

5/31/2024

Date